

## Chapter 249

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[HISTORY: Adopted by the Village Board of the Village of Albany as indicated in Part histories. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction -- See Ch. 86.  
Erosion control -- See Ch. 122.  
Streets and sidewalks -- See Ch. 232.  
Floodplain zoning -- See Ch. 270.

**Part 1**  
**Miscellaneous Utilities Regulations**  
[Adopted 5-11-1992 as Title 9, Ch. 4 and Sec. 8-1-7  
of the 1992 Code]

ARTICLE I  
General Provisions

§ 249-1. Combined utility system.

A. System established. Pursuant to W.S.A. s. 66.077, the village waterworks and sewerage system shall be owned and operated by the village as a single public utility, and all improvements and extensions to such waterworks or sewerage system, either or both, shall be considered as improvements and extensions to such public utility, and all the properties, assets, obligations and liabilities of the waterworks system and the sanitary sewerage system existing, outstanding and accruing, or to accrue, shall be held, used, confessed and acknowledged as properties, assets, obligations and liabilities of such single public utility.

B. Utility Commission. The functions of the Utility Commission shall be performed by the Village Board through its Water and Sewer Committee.

C. Rules, rates and regulations. The rules, rates and regulations for operation of the Water Utility shall be those on file with and approved by the Wisconsin Public Service Commission. The rules, rates and regulations for the operation of the Sewer Utility shall be those on file with the approved by the Village Board of the Village of Albany.<sup>1</sup>

### **§ 249-2. Compulsory connection to village sewer and water system.**

A. Whenever public sewer or water service has become available to any building used for human habitation or human occupancy, the Village Board shall notify, in writing, the owner, agent or occupant thereof to connect such facilities thereto. If such persons to whom the notice has been given shall fail to comply for more than 10 days after notice, the Village Board shall cause the necessary connections to be made and the expenses thereof to be assessed as a special tax against the property pursuant to W.S.A. s. 281.45.<sup>2</sup>

B. The Village Board may extend the time for connection hereunder or may grant other temporary relief where strict enforcement would work an unnecessary hardship without corresponding public or private benefit.

C. This section is enacted pursuant to W.S.A. s. 281.45.<sup>3</sup>

### **§ 249-3. Credit for excessive water use.**

The Water and Sewer Committee may allow a credit in sewerage charges for excessive water claimed to be consumed.

### **§ 249-4. Credit for metered water; filling of swimming pools.<sup>4</sup>**

Customers using water that does not go through the sanitary sewer system will be furnished a meter to determine his credit. A customer that wishes to have a meter placed in his home for the outside water service will provide the necessary piping. There will be a meter at the Village Clerk-Treasurer's office for those customers who wish to fill their swimming pool. There is a charge of \$10 for the use of the meter. The water will be metered and the meter returned to the Village Clerk-Treasurer's office. The amount of water used will be billed at the rate set by resolution of the Village Board per 100 cubic feet. If water and sewer payments are delinquent, pool owners will not be allowed to fill their pool until arrears have been paid in full. Any pool filled without the use of the meter will not receive the sewer credit.<sup>5</sup>

## **Part 2 Water Utility**

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<sup>1</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>2</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>3</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>4</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>5</sup>Editor's Note: Former §§ 249-5, Credit for lawn sprinkling, and 249-6, Green County leachate ponds, which immediately followed this section, were deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**[Adopted 5-11-1992 as Title 9, Ch. 1  
of the 1992 Code]**

**ARTICLE II  
Rates per Public Service Commission**

**§ 249-5. Public fire protection service: F-1.**

A. For public fire protection service to the Village of Albany, the annual charge shall be set by the Public Service Commission to cover the use of mains and hydrants up to and including the terminal hydrant and connection on each main existing for the 1986 test year. These figures may change pursuant to Public Service Commission reports.

B. For all extensions of fire protection service, a charge as set by the Public Service Commission per lineal foot of main shall be charged per annum on the basis of the length of main put into use between hydrants placed, plus a charge as set by the Public Service Commission per hydrant added to the system after the base period.

C. This service shall include the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purposes of extinguishing fires within the municipal boundary only. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission, shall apply.

D. The above base annual charge includes an estimated 37,349 feet of distribution main, four-inch and larger, and 79 hydrants.<sup>6</sup>

**§ 249-6. Public fire protection service, suburban: F-2.**

A. Water used for extinguishing fires outside the immediate service area of the Utility may consist of three types of service:

- (1) Water supplied to tank trucks from Utility hydrants;
- (2) Water supplied directly from hydrants located within the corporate limits or on its borders by means of hose lines; or
- (3) Water supplied to tank trucks from any other Utility water source.

B. A record of the measured or estimated volume of water used shall be submitted to the Water Utility after each use for fire protection outside the Utility's immediate service area. If measuring or estimating is impossible, the Water Utility Superintendent shall be furnished such data as size of orifice used, pressure and time water was permitted to flow, in order to determine volume used.

C. A charge for the volume of water used for each fire, either through a tank supply or from hydrants, will be billed to the township or Fire Department using water at a rate as set by the Public Service Commission per 100 cubic feet. A service charge, in addition to the water charge, shall be \$10 per hydrant used.

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<sup>6</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 249-7. Private fire protection service, unmetered: UPF-1.**

A. Purpose. This service shall consist of unmetered connections to the main for automatic sprinkler systems, standpipes (where the same are connected permanently or continuously to the mains) and private hydrants.

B. Service charge. Quarterly demand charges for private fire-protection service shall be as set by the Public Service Commission.

C. Billing. Same provisions as for general service.

D. Combined service.

(1) When a four-inch or larger connection is made to the main for private fire-protection service, such service line may be tapped with a smaller size branch line for general service. This small branch line shall be metered and the water therefrom billed at the regular metered rates, as per Schedule Mg-1.<sup>7</sup> The charge for private fire-protection service will be that applicable to the size of connection to the main as stated in the above schedule. Where "X" equals the unmetered private fire-protection quarterly service charge applicable to the size of connection, and "Y" is the quarterly service charge for general service, the charge for private fire-protection service shall be (X-.30Y)

(2) Note: Credits for general service branches from private fire-protection connections shall be 30% of the authorized general service charges per Schedule Mg-1.

**§ 249-8. General service, metered; MG-1.**

A. Quarterly service charge. The quarterly service charge for general metered service shall be as set by the Public Service Commission.

B. Volume charge.

(1) First 1,700 cubic feet used each quarter: \$1.18 per 100 cubic feet.

(2) Next 18,300 cubic feet used each quarter: \$.99 per 100 cubic feet.

(3) Over 20,000 cubic feet used each quarter: \$.80 per 100 cubic feet.

C. Billing. Bills for water service are rendered quarterly and become due and payable on the first of the month following the period for which service is rendered. A late payment charge of 3% but not less than \$0.30 will be added to bills not paid within 20 days of issuance. This one-time three-percent late payment charge will be applied only to any unpaid balance for the current billing period's usage. This late payment charge is applicable to all customers. The Utility customer may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued, and unless payment or satisfactory arrangement for payment is made within the next eight days, service may be disconnected pursuant to Chapter PSC 185, Wis. Adm. Code. A charge of \$15 will be made for processing checks that have been returned for insufficient funds.<sup>8</sup>

D. Combined metering. When a consumer's premises has several buildings, each supplied with service and metered separately, the full service charge will be billed for each meter

<sup>7</sup>Editor's Note: See § 249-8.

<sup>8</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

separately, and the readings will not be cumulated. If these buildings are all used in the same business and are connected by the consumer, they can be metered on one place. If the Utility, for its own convenience, installs more than one meter, the readings will be cumulated for billing.

**§ 249-9. General service, suburban: MG-2.**

Water customers residing outside the corporate limits of the Village of Albany shall be billed at the regular rates for service (Schedule Mg-1) plus a surcharge of 25%.

**§ 249-10. General water service, unmetered: UG-1.**

A. Rate. Where the Utility cannot immediately install its water meter, service may be supplied temporarily on an unmetered basis. Such service shall be billed at the rate as set by the Public Service Commission each quarter. This rate shall be applied only to single-family residential and small commercial customers and approximates the cost of 1,700 cubic feet per quarter under Mg-1. If it is determined by the utility that usage is in excess of 1,700 cubic feet per quarter, an additional charge per Schedule Mg-1 will be made for the estimated additional usage.

B. Billing. Same as Schedule Mg-1.<sup>9</sup>

**§ 249-11. Public service: MPA-1.**

A. Water service supplied to municipal buildings, schools, etc., shall be metered and the regular metered service rates applied.

B. Water used on an intermittent basis for flushing service, street sprinkling, flooding skating rinks, drinking fountains, etc., shall be metered where meters can be set to measure the service. Where it is impossible to measure the service, the Utility shall estimate the volume of water used based on the pressure, size of opening and period of time water is allowed to be drawn. The estimated quantity used shall be billed at the rate as set by the Public Service Commission per 100 cubic feet.

**§ 249-12. Reconnection charges: R-1.<sup>10</sup>**

Reconnection charges shall be as follows:

	<b>During Normal Business Hours</b>	<b>After Normal Business Hours</b>
Reinstallation of meter, including valving at curb stop	\$25.00	\$37.50
Valve turned on at curb stop	\$20.00	\$30.00

**NOTE:** No charge for disconnection.

<sup>9</sup>Editor's Note: See § 249-8.

<sup>10</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 249-13. Seasonal, emergency or temporary service: MGT-1.**

Seasonal customers shall be served at the general service rate (Mg-1), except that each customer served under this rate shall pay an annual seasonal service charge equal to four times the applicable quarterly service charge. Water use in any month shall be billed at the applicable volume schedule in Mg-1 and the charge added to the annual seasonal service charge.

Water: Base rate: quarterly: 5/8 inch or 3/4 inch meter: as set by the Public Service Commission

Sewer: Base rate: quarterly: 5/8 inch or 3/4 inch meter: as set by the Public Service Commission

**§ 249-14. Building and construction water service: MZ-1.**

A. For single-family and small commercial buildings, apply the service charge (Mg-1) for the size of meter to be installed.

B. For large commercial, industrial or multiple apartment buildings, a temporary metered installation shall be made and general, metered rates (Mg-1) applied.

**§ 249-15. Bulk water: B-1.**

All bulk water supplied to fill tank trucks or swimming pools from the water system through hydrants or other connections shall be metered. Utility personnel shall supervise the delivery of the water.

Service charge	\$10
Plus volume charge	Set by Public Service Commission

**§ 249-16. Hydrant charges: H-1.**

A. In cases where no other supply is available, hydrants may be used. (See Rule X-1.2.) The following charges shall apply:

- (1) Service charge for setting or moving sprinkler valve: \$10.
- (2) Hydrant wrench deposit: \$10.
- (3) Reducer (if necessary) deposit: \$10.

B. In addition, the projected water usage shall be paid for in advance at the schedule rates. The minimum charge for water usage shall be \$10.

C. Refunds of deposits will be made upon return of the Utility equipment. Damaged or lost equipment will be repaired or replaced at customer expense.

**§ 249-17. Water and sewer lateral installation charge: CZ-1.**

The initial water service lateral will be installed from the main through the curb stop and box by the Utility, for which there will be made a charge as follows:

3/4 inch or 1 inch copper water service

To be set by

the Village

Board

Larger sized services

Actual cost

**§ 249-18. Additional meter rental charge: AM-1.**

If a customer requests the installation of an additional meter to receive credit for clear water not discharged into the sanitary sewer system, or if a sewerage service customer who is not a customer of the Water Utility requests the installation of a meter to determine the volume of sewage discharges into the sanitary sewer system, the Utility shall furnish and install this additional meter. The charge for installing an additional meter for sewer billing purposes shall be \$14. A rental fee shall be charged for the use of this meter, and the rates set by the Village Board.

**ARTICLE III  
Rules and Regulations**

**§ 249-19. Compliance with rules.**

All persons now receiving a water supply from the Village of Albany Water Utility, or who may hereafter make application thereto, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

**§ 249-20. Establishment of service.**

A. Application for water service shall be made in writing on a form furnished by the Water Utility. The application will contain the legal description of the purpose to be served, name of the owner, the exact use to be made of the service and the size of the supply pipe and meter desired. (Note particularly any special refrigeration and/or air-conditioning, water-consuming appliances.)

B. Service will be furnished only if:

(1) Premises have a frontage on a properly platted street or public strip in which a cast-iron or other long-life water main has been laid, or where the property owner has agreed to and complied with the provisions of the Utility's filed main extension rule.

(2) Property owner has installed or agrees to install a service pipe from the curblin to the point of use and laid not less than six feet below the surface of an established or proposed grade and according to the Utility's specification.

(3) Premises have adequate piping beyond metering point.

C. The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to the other units. Each meter and meter connection will be a separate Water Utility customer for the purpose of the filed rules and regulations.

D. No division of the water service of any lot or parcel of land shall be made for the extension and independent meterage of the supply to an adjoining lot or parcel of land. No division of a water supply service shall be made at the curb for separate supplies therefrom for two or more separate premises having frontage on any street or public service strip, whether owned by the same or different parties.

E. The Utility is hereby empowered to withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

#### **§ 249-21. Service contract.**

A. The minimum service contract period shall be one year unless otherwise specified by special contract or in the applicable rate schedule. Where the utility service has been disconnected at the customer's request prior to expiration of his minimum contract period, a reconnection charge shall be made, payable in advance, when the customer requests reconnection of service. (See Schedule R-1 for applicable rate.)<sup>11</sup> The minimum contract period is renewed with each reconnection.

B. A reconnection charge shall also be required from consumers whose services are disconnected (shut off at curb stop) because of nonpayment of bills when due (not including disconnection for failure to comply with deposit or guaranty rules). (See Schedule R-1 for applicable rate.)

C. A consumer shall be considered as the same consumer, provided that the reconnection is requested for the same location by any member of the same family or, if a place of business, by any partner or employee of the same business.

#### **§ 249-22. Temporary metered supply; meter and deposits.**

An applicant for temporary water supply on a metered basis shall make and maintain a monetary deposit for each meter installed as security for payment for use of water and for such other charges which may arise from the use of the supply. A charge shall be made for setting the valve and furnishing and setting the meter.

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<sup>11</sup> Editor's Note: See § 249-12.

### **§ 249-23. Water for construction.**

A. When water is requested for construction purposes or for filling tanks or other such uses, an application therefor shall be made to the Utility, in writing, upon application provided for that purpose in the Water Department office, giving a statement of the amount of construction work to be done or the size of the tank to be filled, etc. Payment for the water for construction shall be made in advance at the scheduled rates. The service pipe must be installed inside the building from where the water must be drawn. No connection with the service pipe at the curb shall be made without special permission from the Utility.

B. In no case will any employee of the Utility turn on water for construction work unless the contractor first presents a permit. Upon completion of the construction work, the contractor must return the original permit to the Utility, together with a statement of the actual amount of construction work performed.

C. Consumers shall not allow contractors, masons or other persons to take water from their premises without first showing a permit from the Department. Any consumer failing to comply with this provision will have water service discontinued.

### **§ 249-24. Use of fire hydrants for construction; temporary supply.**

A. In cases where no other supply is available, permission may be granted by the Superintendent to use a hydrant. No hydrant shall be used until it is equipped with a sprinkling valve. In no case shall any valve be moved except by a member of the Water Department.

B. Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. See Schedule H-1<sup>12</sup> for applicable deposits and charges. Upon completing use of the hydrant, the customer must notify the Utility to that effect.

C. In the use of a hydrant supply, the hydrant valve will be set at the proper opening by the Utility when the sprinkling valve is set, and the flow of water must be regulated by means of the sprinkling valve. If the water is to be used through iron pipe connections, all such pipe installations shall have the swing joint to facilitate quick disconnection from the fire hydrant.

### **§ 249-25. Operation of valves and hydrants; unauthorized use of water.**

Any person who shall, without authority of the Utility, allow contractors, masons or other unauthorized persons to take water from their premises, operate any valve connected with the street or supply mains or open any fire hydrant connected with the distribution system, except for the purpose of extinguishing fire, or who shall wantonly damage or impair the same shall be subject to a fine as provided by municipal ordinances. Permits for the use of hydrants apply only to such hydrants as are designated for the specific use.

### **§ 249-26. Refunds of monetary deposits.**

All moneys deposited as security for payment of charges arising from the use of temporary water supply on a metered basis, or for the return of a sprinkling valve wheel or reducer, if the water is used on an unmetered basis, will be refunded to the depositor on the termination of the use of

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<sup>12</sup>Editor's Note: See § 249-16.

water, the payment of all charges levied against the depositor and the return of the wheel and reducer.

**§ 249-27. Service connections (or water laterals).**

A. No water service shall be laid through any trench having cinders, rubbish, rock or gravel fill or any other material which may cause injury to or disintegration of the service pipe, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the Utility. Service pipes passing through curb or retaining walls shall be adequately safeguarded by provision of a channel space or pipe casing, not less than twice the diameter of the service connection. The space between the service pipe and channel or pipe casing shall be filled and lightly caulked with an oakum, mastic cement, or other resilient material, and made impervious to moisture.

B. In backfilling the pipe trench, the service pipe must be protected against injury by carefully hand tamping the ground filling, free from hard lumps, rocks, stones or other injurious material, around and at least six inches over the pipe.

C. All water supplies shall be of undiminished size from the street main in to the point of meter placement. Beyond the meter outlet valve the piping shall be sized and proportioned to provide, on all floors, at all times, an equitable distribution of water supply for the greatest probable number of fixtures or appliances operating simultaneously.

**§ 249-28. Service piping for meter settings.**

A. In cases where a new customer whose service is to be metered installs the original service piping or where an existing metered customer changes his service piping for his own convenience, or where an existing flat rate customer requests to be metered, the customer shall, at his expense, provide a suitable location and the proper connections for the meter. The Water Utility should be consulted as to the type and size of meter setting. Where it is possible to set meters in the basement or other suitable place within the building, a short nipple shall be inserted after the stop and waste cock, then a union and then another nipple and coupling of the proper length. The nipple attached to the union and coupling shall be cut to a standard length provided by the plans of the Utility (it may require horizontal run of 18 inches in such pipeline) which may later be removed for the insertion of the meter into the supply line.

B. No permit will be given to change from metered to flat rate service.

**§ 249-29. Turning on water.**

The water cannot be turned on for a consumer except by a duly authorized employee of the Utility. When a plumber has completed a job, he must leave the water turned off. This does not prevent the plumber from testing the work.

**§ 249-30. Failure to read meters.**

A. Where the Utility is unable to read a meter after two successive attempts, the fact will be plainly indicated on the bill, and either an estimated bill will be computed or the minimum charge applied. The difference shall be adjusted when the meter is again read; that is, the bill for

the succeeding quarter will be computed with the gallons or cubic feet in each block of the rate schedule doubled, and credit will be given on that bill for the amount of the minimum bill paid the preceding month. Only in unusual cases or where approval is obtained from the customer shall more than two consecutive estimated bills be rendered.

B. If the meter is damaged (see § 249-41, Surreptitious use of water) or fails to operate, the bill will be based on the average use during the past year unless there is some reason why the use is not normal. If the average use cannot be properly employed, the bill will be estimated by some equitable method.

#### **§ 249-31. Complaint meter tests.**

See Wis. Adm. Code, Chapter PSC 185.

#### **§ 249-32. Thawing frozen services.**

See Wis. Adm. Code, Chapter PSC 185.

#### **§ 249-33. Stop boxes.**

The consumer shall protect the stop box in the terrace and shall keep the same free from dirt and other obstructions. The Utility shall not be liable for failure to locate the stop box and shut off the water in case of a leak on the consumer's premises.

#### **§ 249-34. Installation of meters.**

Meters will be furnished and placed by the Utility and are not to be disconnected or tampered with by the consumer. All meters shall be so located that they shall be protected from obstructions and permit ready access thereto for reading, inspection and servicing, such location to be designated or approved by the Utility. All piping within the building must be supplied by the consumer. Where additional meters are desired by the consumer, he shall pay for all piping and an additional amount sufficient to cover the cost of maintenance and depreciation.

#### **§ 249-35. Repairs to meters.**

A. Meters will be repaired by the Water Department, and the cost of such repairs caused by ordinary wear and tear will be borne by the Utility.

B. Repair of any damage to a meter resulting from the carelessness of the owner of the premises, his agent or tenant, or from the negligence of any one of them to properly secure and protect the same, including any damage that may result from allowing a water meter to become frozen or to be injured from the presence of hot water or steam in the meter, shall be paid for by the consumer or the owner of the premises.

#### **§ 249-36. Replacement and repair of service pipe.**

A. Where the property owner requests that a larger service lateral be installed to replace an existing smaller diameter pipe, an allowance of \$15 will be made as a deduction in the cost, provided that the new service is to be installed in the same ditch as the existing service pipe.

B. The service pipe from the main to and through the curb stop will be maintained and kept in repair and, when worn out, replaced at the expense of the Utility. The property owner shall maintain the service pipe from the curb stop to the point of use.

C. If a consumer fails to repair a leaking or broken service pipe from curb to point of metering or use within such time as may appear reasonable to the Utility after notification has been served on the consumer by the Utility, the water will be shut off and will not be turned on again until the repairs have been completed.

**§ 249-37. Charges for water wasted due to leaks.**

See Wis. Adm. Code, Chapter PSC 185.

**§ 249-38. Inspection of premises.**

During reasonable hours, any officer or authorized employee of the Utility shall have the right of access to the premises supplied with service, for the purpose of inspection or for the enforcement of the Utility's rules and regulations. Whenever appropriate, the Utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.

**§ 249-39. Customer's deposit.**

See Wis. Adm. Code, Chapter PSC 185.

**§ 249-40. Disconnection and refusal of service.**

A. Disconnection. See Wis. Adm. Code Chapter PSC 185.

B. Disconnection notice. The form of disconnection notice to be used is as follows:

DISCONNECTION NOTICE

Dear Customer:

The bill enclosed with this notice includes your current charge for utility service and your previous unpaid balance.

You have 8 days to pay the utility service arrears or your service is subject to disconnection.

If you fail to pay the service arrears, or fail to contact us within the 8 days allowed to make reasonable time payment arrangements, we will proceed with disconnection action.

To avoid the inconvenience of service interruption and an additional charge of (amount) reconnections, we urge you to pay the full arrears IMMEDIATELY AT ONE OF OUR OFFICES.

If you have entered into a Deferred Payment Agreement with us and have failed to make the time payment you agreed to, your service will be subject to disconnection unless you pay the amount due within eight days.

If you have a reason for delaying the payment, call us and explain the situation.

PLEASE CALL THIS TELEPHONE NUMBER, (appropriate telephone number), IMMEDIATELY IF:

1. You have a question about your utility service arrears.
2. You are unable to pay the full amount of the bill and are willing to enter into a time payment agreement with us.
3. There are any circumstances you think should be taken into consideration before service is discontinued.
4. Any resident is seriously ill.

#### Illness Provision

If there is an existing medical emergency in your home and you furnish the Utility with a statement signed by either a licensed Wisconsin physician or a public health official, we will delay disconnection of service up to 21 days. The statement must identify the medical emergency and specify the period of time during which disconnection will aggravate the existing emergency.

#### Deferred Payment Agreements

If, for some reason, you are unable to pay the full amount of the utility service arrears on your bill, you may contact the Utility to discuss arrangements to pay the arrears over an extended period of time. This time payment agreement will require:

1. Payment of a reasonable amount at the time the agreement is made.
2. Payment of the remainder of the outstanding balance in monthly installments over a reasonable length of time.
3. Payment of all future utility service bills in full by the due date.

In any situation where you are unable to resolve billing disputes or disputes about the grounds for proposed disconnection through contacts with our Utility, you may make an appeal to the Wisconsin Public Service Commission, Madison, Wisconsin.

(UTILITY NAME)

(1) In the event that the Utility is not able to collect any bill for water service even though Deposit and Guarantee Rules are on file, the bill may be put upon the tax roll as provided in Sec. 66.069, Wisconsin Statutes.

#### **§ 249-41. Surreptitious use of water.**

When the Utility has reasonable evidence that a consumer is obtaining his supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the utility service being delivered to his equipment, the Utility reserves the right to estimate and present immediately a bill for service unmetered as a result of such interference, and such bill shall be payable subject to a twenty-four-hour disconnection of service. When the Utility shall have disconnected the consumer for any such reason, the Utility will reconnect the consumer upon the following conditions:

A. The consumer will be required to deposit with the Utility an amount sufficient to guarantee the payment of the consumer's bills for utility service to the Utility.

B. The consumer will be required to pay the Utility for any and all damages to its equipment on the consumer's premises due to such stoppage or interference with its metering.

C. The consumer must further agree to comply with reasonable requirements to protect the Utility against further losses.

D. W.S.A. ss. 98.26 and 943.20, as relating to water service, are hereby adopted and made a part of these rules.

#### **§ 249-42. Vacation of premises.**

When premises are to be vacated, the Utility shall be notified, in writing, at once, so that it may remove the meter and shut off the supply at the curb cock. The owner of the premises shall be liable to prosecution for any damage to the property of the Water Department by reason of failure to notify the Utility of vacancy.

#### **§ 249-43. Repairs to mains.**

The Utility reserves the right to shut off the water in the mains temporarily, to make repairs, alterations or additions to the plant or system. When the circumstances will permit of sufficient delay, the company will give notification, by newspaper publication or otherwise, of the discontinuance of the supply. No rebate will be allowed to consumers for such temporary suspension of supply.

#### **§ 249-44. Duty of Utility with respect to safety of public.**

It shall be the duty of the Utility to see that all open ditches for water mains, hydrants and service pipes are properly guarded to prevent accident to any person or vehicle, and at night there shall be displayed an amber signal light in such manner as will, so far as possible, ensure the safety of the public.

#### **§ 249-45. Handling water mains and service pipes in sewer or other trenches.**

Contractors must ascertain for themselves the existence and location of all service pipes. Where they are removed, cut or damaged in the construction of a sewer, the contractor must at his own

expense cause them to be replaced or repaired at once. He must not shut off the water service pipes from any consumer for a period exceeding six hours.

**§ 249-46. Settling main or service trenches.**

Trenches in unpaved streets shall be refilled with moist, damp earth or by means of water tamping. When water tamping is used, the water shall be turned into the trench after the first 12 inches of backfill has been placed, and then the trench shall be kept flooded until the remainder of the backfill has been put in.

**§ 249-47. Protective devices.**

A. Protective devices in general. The owner or occupant of every premises receiving water supply shall apply and maintain suitable means of protection of the premises' supply, and all appliances thereof, against damage arising in any manner from the use of the water supply, variation of water pressure or any interruption of water supply. Particularly, such owner or occupant must protect water-cooled compressors for refrigeration systems by means of high pressure safety cutout devices. There shall likewise be provided means for the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.

B. Relief valves. On all closed systems (i.e., systems having a check valve, pressure regulator or reducing valve, water filter or softener) an effective pressure relief valve shall be installed either in the top tapping or the upper side tapping of the hot-water tank, or on the hot-water distributing pipe connection at the tank. A one-half-inch drainpipe shall be connected to the relief valve for discharge on the floor or into a sink or open drain through an air gap. No stop valve shall be placed between the hot-water tank and the relief valve or on the drainpipe. (See applicable village plumbing codes.)<sup>13</sup>

C. Air chambers. An air chamber or approved shock absorber shall be installed at the terminus of each riser, fixture branch or hydraulic elevator main for the prevention of undue water hammer. The air chamber shall have a diameter not less than that of the pipe it serves and a length not less than 15 diameters of said supply pipe. Where possible, the air chamber should be provided at its base with a valve and rain cock for water drainage and replenishment of air.

**§ 249-48. Cross connection control.**

A. Definition. A "cross connection" shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the village water system, and the other, water from a private source, water of unknown or questionable safety or steam, gases or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

B. Cross connections prohibited. No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the village may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Water

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<sup>13</sup> Editor's Note: See Ch. 86, Building Construction.

Utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 111.25(3), Wisconsin Administrative Code.

C. Inspections. It shall be the duty of the Water Utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Water Utility and as approved by the Wisconsin Department of Natural Resources.

D. Right to inspect. Upon presentation of credentials, the representative of the Water Utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the village for cross connections. If entry is refused, such representative shall obtain a special inspection warrant under W.S.A. s. 66.122. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

E. Discontinuation of service. The Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under W.S.A. ch. 68, except as provided in Subsection F. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this section.

F. Immediate discontinuation. If it is determined by the Water Utility that a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the Village Clerk-Treasurer and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under W.S.A. ch. 68 within 10 days of such emergency discontinuance.

G. State code adopted. The village adopts by reference the State Plumbing Code of Wisconsin, beginning Chapter H 82, Wisconsin Administrative Code.

H. Section not to supersede other ordinances. This section does not supersede the State Plumbing Code and any village plumbing ordinances, but is supplementary to them.<sup>14</sup>

#### **§ 249-49. Private well abandonment.**

A. Purpose. The purpose of this section is to prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or noncomplying wells or wells which may serve as conduits for contamination of wells which may be illegally cross-connected to the municipal water system are properly abandoned.

B. Applicability. This section applies to all wells located on premises served by the Village of Albany municipal water system.

C. Definitions. As used in this section, the following terms shall have the meanings indicated:

MUNICIPAL WATER SYSTEM -- A system for the provision to the public of piped water for human consumption when such system has at least 15 service connections or

<sup>14</sup> Editor's Note: See also Ch. 86, Building Construction.

regularly serves at least 25 year-round residents owned or operated by a city, village, county, town, town sanitary district or utility district or public institution, or a privately owned water utility serving any of the above.<sup>15</sup>

**NONCOMPLYING** -- A well or pump installation which does not comply with the provisions of Ch. NR 112, Wis. Adm. Code, in effect at the time the well was constructed, a contamination source was installed, the pump was installed or work was done on either the well or pump installation.

**PUMP INSTALLATION** -- The pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

**UNSAFE** -- A well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances in exceedance of the standards of Chapters NR 109 or 140, Wis. Adm. Code, or for which a Health Advisory has been issued by the Department of Natural Resources.

**UNUSED** -- A well or pump installation which is not in use or does not have a functional pumping system.

**WELL** -- An excavation or opening into the ground made by digging, boring, driving or other methods for the purpose of obtaining groundwater for consumption or other use.

**WELL ABANDONMENT** -- The filling and sealing of a well according to the provisions of Ch. 112, Wis. Adm. Code.

D. Abandonment required. All wells located on premises served by the municipal water system shall be abandoned in accordance with the terms of this Chapter and Ch. NR 112, Wis. Adm. Code no later than 30 days from the date of connection to the municipal water system, unless a well operation permit has been obtained by the well owner from the Village Board.<sup>16</sup>

E. Well operation permit. The Village Board may grant a permit to a private well owner to operate a well for a period not to exceed five years, provided that the conditions of this section are met. An owner may request renewal of a well operation permit by submitting information verifying that the conditions of this section are met. The Village Board, or its agent, may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk-Treasurer. The following conditions must be met for the issuance or renewal of a well operation permit:

(1) The well and pump installation meet or are upgraded to meet the requirements of Ch. NR 112, Wis. Adm. Code.

(2) The well construction and pump installation have a history of producing bacteriologically safe water as evidenced by at least two samplings taken a minimum of two weeks apart. No exception to this condition may be made for unsafe wells, unless the Department of Natural Resources approves, in writing, the continued use of the well.

(3) There are no cross connections between the well and pump installation and the municipal water system.

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<sup>15</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>16</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

(4) The proposed use of the well and pump installation can be justified as being necessary in addition to water provided by the municipal water system.

F. Abandonment procedures.

(1) All wells abandoned under the jurisdiction of this chapter or rule shall be abandoned according to the procedures and methods of Ch. NR 112, Wis. Adm. Code. All debris, pump, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.

(2) The owner of the well, or the owner's agent, shall notify the Clerk-Treasurer at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by the village's designee.

(3) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Clerk-Treasurer and the Department of Natural Resources within 10 days of the completion of the well abandonment.

**Part 3**  
**Sewer Utility**  
**[Adopted 5-11-1992 as Title 9, Ch. 2**  
**of the 1992 Code; amended 9-8-1997 by Ord. No. 01-97]**

**ARTICLE IV**  
**User Rules**

**§ 249-50. Applicability of rules; application for service.**

A. All persons now receiving sewer service from the Sewer Utility, or who may hereafter make application therefor, shall be considered as having agreed to be bound by the rules and regulations of the Village of Albany.

B. Application for sewer service shall be made in writing on a form furnished by the Sewer Utility. The application will contain the legal description of the property to be served, name of the owner, the exact use to be made of the service and the size of the service connection.

**§ 249-51. Definitions and word usage.**

A. Definitions. The following definitions shall be applicable to this Part 3:

APPROVING AUTHORITY -- The Superintendent of Public Works, Board of Public Works or other designated official of the municipality, or their duly authorized deputy, agent or representative.

BOD (BIOCHEMICAL OXYGEN DEMAND) -- The quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at 20° C., expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in Standard Methods.

**CHLORINE REQUIREMENT** -- The amount of chlorine in milligrams per liter which must be added to sewage to produce a residual as specified in the Wisconsin Pollutant Discharge Elimination System.

**COMBINED SEWER** -- A sewer receiving both surface runoff and sewage.

**GARBAGE** -- The residue from the preparation, cooking and dispensing of food and from the handling, storage and sale of food products and produce.

**GROUND GARBAGE** -- The residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than 1/2 inch in any dimension.

**INDUSTRIAL WASTE** -- The wastewater from industrial process, trade or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage.

**NATURAL OUTLET** -- Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch lake or other body of surface water or groundwaters.

**PARTS PER MILLION** -- A weight-to-weight ratio. The parts per million value multiplied by the factor 8.34 is equivalent to pounds per million gallons of water.

**SANITARY SEWAGE** -- A combination of water-carried wastes from residences, business buildings, institutions and industrial plants (other than industrial wastes from such plants), together with such ground, surface and storm waters as may be present.

**SANITARY SEWER** -- A sewer that conveys wastewater, industrial wastes, or a combination of both, and into which storm, surface and ground waters or unpolluted industrial wastes are not intentionally admitted.

**SEWAGE** -- The spent water of a community. The preferred term is "wastewater".

**SEWER** -- A pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and ground water drainage.

**SLUG** -- Any discharge of sewage or industrial waste which in concentration of any given constituent exceeds more than five times the average twenty-four-hour concentration during normal operation, or the discharge of any volume of liquid waste which exceeds more than five times in quantity of flow for a period of 15 minutes or more the normal twenty-four-hour average discharge and shall adversely affect the collection system and/or performance of the wastewater treatment plant.

**STANDARD METHODS** -- The examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water, Sewage and Industrial Wastes, published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

**STORM SEWER** -- A sewer that carries storm, surface and ground water drainage, but excludes sewage and industrial wastes.

**SUSPENDED SOLIDS** -- Solids that either float on the surface of, or are in suspension in, water, wastewater or industrial waste, and which are removable to a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in Standard Methods.

**WASTEWATER** -- A combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

**WASTEWATER COLLECTION SYSTEM** -- The system of sewers and appurtenances for the collection, transportation and pumping of wastewater and industrial wastes.

**WASTEWATER TREATMENT PLANT** -- An assemblage of devices, structures and equipment for treating and disposing of wastewater and industrial wastes.

B. Word usage. "Shall" is mandatory; "may" is permissible.

### **§ 249-52. Use of public sewers.**

A. Sanitary sewers. No person shall cause to be discharged any stormwater, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water or unpolluted water into any sanitary sewer. This includes sump pumps that are in basements.

B. Prohibitions and limitations. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

(2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process or constitute a hazard to humans or animals or create any hazard in the receiving waters of the wastewater treatment plant.

(3) Any waters or wastes having a pH lower than 5.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater treatment plant.

(4) Any waters or wastes having a pH in excess of 10.0.

(5) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operations of the wastewater collection and treatment facilities, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(6) No persons shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Approving Authority that such wastes can harm either the sewers, wastewater treatment plant or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb,

property or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Approving Authority will give consideration to the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than 150° F.
- (b) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.
- (c) Any commercial garbage that has not been properly shredded. The installation and operation of any commercial grinder equipped with a motor of one horsepower or greater shall be subject to the review and approval of the Approving Authority.
- (d) Any waters or wastes containing iron, chromium, copper, zinc, mercury and similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite wastewater at the wastewater treatment plant exceeds the limits established by the Approving Authority for such materials.
- (e) Any waters or wastes containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the Approving Authority as necessary after treatment of the composite wastewater, to meet the requirements of the state, federal or other public agencies or jurisdiction for such discharge to the receiving waters.
- (f) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with state or federal regulations.
- (g) Any water or wastes which, by interaction with other water or wastes in the sanitary sewer system, release obnoxious gases from suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.
- (h) Materials which exert or cause:
  - [1] Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.
  - [2] Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
  - [3] Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate).
  - [4] Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

[5] Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of the Department of Natural Resources, Division of Environmental Protection, of the State of Wisconsin.

C. Special arrangements. No statement contained in this Part 3 shall be construed as prohibiting any special agreement between the Approving Authority and any person whereby an industrial waste of unusual strength or character may be admitted to the sewage disposal works, either before or after pretreatment, provided that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes and no extra costs are incurred by the Utility without recompense by the person.

### **§ 249-53. Control of industrial wastes directed to public sewers.**

A. Industrial discharges. If any waters or wastes are discharged, or proposed to be discharged, to the public sewers, which waters or wastes contain substances or possesses the characteristics enumerated in § 249-52B, and which in the judgment of the Approving Authority have a deleterious effect upon the wastewater collection or treatment facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life, health or constitute a public nuisance, the Approving Authority may:

- (1) Reject the wastes.
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers.
- (3) Require control over the quantities and rates of discharge.

B. Control manholes.

(1) Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.

(2) Control manholes or access facilities shall be located and built in a manner acceptable to the Approving Authority. If measuring and/or sampling devices are to be permanently installed, they shall be of a type acceptable to the Approving Authority.

(3) Control manholes, access facilities and related equipment shall be installed by and at the expense of the person discharging the waste and shall be maintained by that person so as to be in safe condition, accessible and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Approving Authority prior to the beginning of construction.

C. Measurement of flow. The volume of flow used for computing industrial waste collection and treatment charges shall be the metered water consumption of the person as shown in the records of meter reading maintained by the Utility's Water Department.

D. Metering of waste. Devices for measuring the volume of waste discharged may be required by the Approving Authority if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall

be installed, owned and maintained by the person to accuracy standards acceptable to the Approving Authority. Following approval and installation, such meters may not be removed without the consent of the Approving Authority.

E. Provision for deductions. In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Approving Authority that more than 10% of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Approving Authority and the person.

F. Waste sampling.

(1) Industrial wastes discharged into the public sewers shall be subject to the periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the industry as often as may be deemed necessary by the Approving Authority.

(2) Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority. Installation, operation and maintenance of the sampling facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the Approving Authority or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

G. Pretreatment. Where required, in the opinion of the Approving Authority, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater collection or treatment plant, the person shall provide, at his expense, such preliminary treatment or processing facilities as may be determined required to render his wastes acceptable for admission to the public sewers.

H. Grease, oil and sand interceptors. Grease, oil and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes and/or harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type readily accessible for cleaning and inspection. In maintaining these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Approving Authority. Disposal of the collected materials performed by owner's(s') personnel or currently licensed waste disposal firms must be in accordance with currently acceptable Department of Natural Resources rules and regulations.

I. Analyses. Laboratory procedures used in the examination of industrial wastes shall be those set forth in Standard Methods. However, alternate methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Approving Authority and the person. Determination of the character and concentration of the industrial wastes shall be made by the person discharging the wastes or by the person's agent, as designated and required by the Approving Authority. The Utility may also make its own analyses on the wastes, and these determinations shall be binding as a basis for charges.

J. Submission of information. Plans, specifications and any other pertinent information relating to proposed preliminary treatment of processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

**§ 249-54. Classes of service.**

A. General service. Normal or domestic wastewater is defined as having the organic concentration of Biochemical Oxygen Demand (BOD) and Suspended Solids (SS) specified in Schedule Smg-1 of the rate file.

B. High-strength standards. All establishments discharging high-strength wastes into the public sanitary sewer system shall be billed in accordance with the High Strength Service Charge specified in Schedule Smg-2<sup>17</sup> of the rate file. The volume of flow used for computing the wastewater surcharge shall be metered water consumption as shown in records maintained by the Water Utility subject to adjustment as otherwise herein provided or the actual volume of wastewater as determined by a waste metering installation.

**§ 249-55. Right-of-entry; identification and safety.**

The Superintendent of the Utility or other duly authorized employee of the municipality or Utility bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation and testing, all in accordance with the provisions of these rules and regulations and W.S.A. s. 196.171. The Superintendent of the Utility shall have no authority to inquire into any process beyond that point having direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastewater treatment. While performing the necessary work, the authorized person shall observe all safety rules applicable to the premises established by the property owner.

**§ 249-56. Sewer construction. [Amended 7-13-1998 by Ord. No. 02-98]**

A. Work authorized. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining approval from the Approving Authority, in writing.

B. Cost of sewer construction. Costs and expense incident to the installation and connection of the building sewer shall be borne by the owner as stipulated by resolution and approved per the Village Board.

C. Service laterals.

(1) Repair of any sewer lateral from any building or structure to the wye in the sewer main shall be the sole responsibility of the property owner. The wye is considered to be part of the sewer main. Any repair taking place within the street or right-of-way must be made by a licensed plumbing contractor, meeting the requirements of the Approving Authority.

(2) Blockages.

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<sup>17</sup>Editor's Note: See § 249-61.

(a) When a blockage occurs and is apparent on a premises, it is the caretaker's/property owner's responsibility to immediately notify the Sewer Utility. Upon investigation by employees of the Sewer Utility, the property owner/caretaker will be notified as to whether the blockage is in the main or in the lateral. If it is in the main, the Sewer Utility will take immediate remedial action to remove the obstruction. If the blockage is in the lateral, it is the property owner's responsibility to eliminate the blockage.

(b) If a sewer main blockage occurs and causes damage to the premises, the Sewer Utility will accept claims for damages. The Sewer Utility will not honor claims consisting of charges from plumbing contractors called to open sewer laterals when in fact the sewer main was blocked. Note: Acceptance of claim doesn't guarantee payment of claim.

D. Use of old building sewers. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Approving Authority, to meet all requirements of this Part 3.

E. Materials and methods of construction. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building and plumbing code<sup>18</sup> or other applicable rules and regulations of the municipality. In the absence of code provisions or in amplification thereof, the materials and procedures shall be as set forth in appropriate specifications of the Wisconsin Department of Commerce.

F. Building sewer grade. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

G. Storm and ground water drains. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or ground water to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.

H. Conformance to plumbing codes. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code<sup>19</sup> or other applicable rules and regulations of the municipality or the procedures set forth in appropriate specifications of the Wisconsin Department of Commerce. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.

I. Inspection of connection. The applicant for the building sewer permit shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Approving Authority.

J. Barricades; restoration. All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the municipality.

## **§ 249-57. Violations and penalties.**

<sup>18</sup>Editor's Note: See Ch. 86, Building Construction.

<sup>19</sup>Editor's Note: See Ch. 86, Building Construction.

A. Written notice of violation. Any person found to be violating any provision of these rules and regulations shall be served by the Approving Authority with a written notice stating the nature of the violation and providing reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Accidental discharge. Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer which causes damage to the treatment facilities, receiving body of water and/or downstream waters shall, in addition to a forfeiture, pay the amount to cover damages, both values to be established by the Approving Authority.

**§ 249-58. Credit for water not discharged to sewer.<sup>20</sup>**

If a portion of the water furnished to any customer is not discharged into the sewer system, the quantity of such water will be deducted in computing the charge for sewer service, provided that a meter has been installed to measure such water. The customer must, at his own expense, make necessary changes in the water piping and install couplings so that a meter can be set. See § 249-4 regarding credit for filling swimming pools.

**§ 249-59. Private sewage systems.**

All private sewage systems within the Village of Albany and not readily served by the village's sewer system shall comply with the State of Wisconsin Plumbing Rules on private sewage system.

**ARTICLE V  
Rates**

**§ 249-60. General sewer service, metered: SMG-1.**

A. Classifications. Available for sewage contributors discharging domestic strength sewage up to 250 milligrams per liter BOD and 250 milligrams per liter suspended solids.

B. Quarterly service charge: to be set by resolution by the Village Board. Plus volume charge to be set by resolution by the Village Board.

C. Bills for sewer service. Bills for sewer service are rendered quarterly and become due and payable on the first of the month following the period for which service is rendered. A late payment charge of 3%, but no less than \$0.30, will be added to bills not paid within 20 days of issuance. This late payment charge is applicable to all customers. The Utility customer may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued and unless payment of satisfactory arrangement for payment is made within the next eight days.

D. Billing. Set by resolution.<sup>21</sup>

**§ 249-61. Commercial and industrial sewer service, metered: SMG-2.**

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<sup>20</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>21</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

A. Rates. When the sewage from any contributor does not exceed the strength limitations of 250 milligrams per liter for BOD and 250 milligrams per liter for suspended solids, the sewer bill shall be calculated as stated by the Village Board resolution. Where the waste of any contributor exceeds the above strength, a periodic sampling shall be taken and the sewage analyzed to determine the strength of said waste, which will be billed at the following rates:

(1) Quarterly service charge: set by resolution.<sup>22</sup>

(2) Plus volume charge: charge shall be comprised as stated by Village Board resolution.

B. Billing. Set by resolution.<sup>23</sup>

**§ 249-62. General sewer service, unmetered: SUM-1.**

Service shall be billed at the rate determined by resolution by the Village Board. This rate shall be applied only to single-family residential and small commercial customers and approximates the cost for 1,700 cubic feet per quarter discharged to the sewer system. If it is determined by the Utility that the user discharges more than 1,700 cubic feet per quarter to the system, an additional charge of 100 cubic feet will be made for estimated additional usage.

**§ 249-63. Sanitary benefit charge: SB-1.<sup>24</sup>**

Voluntary payment by municipality may be \$4,000 per year.

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<sup>22</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>23</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

<sup>24</sup>Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).